

Silver Spring Urban District Advisory Committee
Meeting
March 15, 2007

Members Present: Genny Hardesty, Bob Middleton, Renee Okon, Jon Lourie, Pete Esker, Nancy Schwiesow, Bryant Foulger, Abrielle Anderson Edward Baca-Asher,

Members Absent: Barbara Henry and Charles Atwell

Guest: Dale Mangum, Commander Davis, Sgt. Harmon, Phil Olivetti, Jennifer Desco, Rick Siebert, Ann Yonkers, Janna Hawley, Eric Sterling, Avi Halpert, Jill Schick, Bill Combiners, Susan Reutershaw, Paul Mahon and Jane Redicker

Staff: Gary Stith, Vicki Lockerman, Mark Rockman, Susan Hoffmann, and Mel Tull

Welcome/Introduction – Genny Hardesty, Chair called the meeting to order at 3:30 p.m.

Motion: (Esker, Middleton) the Silver Spring Urban District Advisory Committee approved the February 2007 minutes with 1 abstention.

Chair's Report

Genny Hardesty reported that:

- A meeting was held on March 5 with the Silver Spring Region Boards and Committees to discuss priority issues for the FY-08 Operating Budget with County Executive Leggett. County Executive Leggett is in agreement with us and behind Silver Spring and stated that we have gone through a lot of effort, time and invested a lot of money. The groups' main message was we don't want to stop now. The County Executive is in favor of the Birchmere and more development but in order to keep a viable population and bring people to the area it will be essential that crime is under control and money is the key. The comments of all the Boards were sent via e-mail and are in your packet. The County Executive liked the fact that the Silver Spring Citizens Advisory Board, Silver Spring Recreation Advisory Board, Long Branch Advisory Committee, Silver Spring Transportation Management District and the Urban District Advisory Board mirrored each other comments. The County Executive attended the Silver Spring chamber of Commerce meeting a month ago and commented that he liked to see unity between the community, businesses and other organizations speaking with one voice.

Bob Middleton stated that some members may have received by e-mail the Spirit of Silver Spring request for nominations for Thursday, April 5, 2007 and hopefully you will have an opportunity to read it, think about it and possibly nominate someone who might fit one of the three categories. The actual presentation will be on May 17, 2007 at NOAA. Impact Silver Spring is on point with the discussion we just had.

Police Update:

- Commander Davis introduced Sgt. Harmon.
- Sgt. Harmon gave an overview and distributed handout on the 2007 Street Smart pedestrian safety campaign, a regional education effort to reduce pedestrian and bicyclist injuries and fatalities. The Street Smart campaign, which was launched in 2002, started by Montgomery County using a \$50,000 State grant awarded to the County and \$50,000 in County funds. This seed money helped leverage the \$400,000 to \$500,000 annual regional effort, which is now directed by the Metropolitan Washington Council of Governments and is supported by federal, state, county and local agencies from suburban Maryland, the District of Columbia, and northern Virginia. For more information on Montgomery County's pedestrian safety program, go to the County's website at www.montgomerycountymd.gov/walk. Another flyer introduced several years ago which is primarily for our Latino Hispanic community we are finding that a lot of folks that are becoming statistics happen to be the new immigrants so this is targeting that population with a fairly identifiable kind of visual and not a lot of written words. The campaign starts March 18 through April 24. We are going to try and incorporate some of our patrol teams into a weekly enforcement detail. I hope you have seen us in the last couple year at some of the intersections with our pedestrian sting operation where we put officers in brightly colored orange shirts and we have them crossing with the civilians that are going to and from lunch and looking for vehicles that are not yielding when making the left hand turn on southbound Georgia. This is something we are working with the State to see that change. During the campaign we will pick different locations within the Central Business District (CBD) where we will try and work that particular intersection for a two hour period and we may have some overtime funds that will allow us to do more. The information given would be helpful for small businesses alerting employees that the campaign is underway and if you need more flyers and lecture please let me know. Our seatbelt campaign will start in April and run through June so we are piggy backing on the Street Smart Campaign and there will be a lot of enforcement in the CBD. We write close to 30,000 tickets in this district alone.

Q&A

Renee Okon asked how the police would handle pedestrian with no identification.

Sgt. Harmon responded that pedestrians without identification fall into our standard that unless they are really blatant pedestrian going between cars in the middle of the block those are the folks I want to target and write citations to. The person able to make it across the street and doing it safely I don't like to see that but we will talk with them and give warnings. Washington State many years ago had a big push for ticketing pedestrians jay-walking and wrote 75,000 to 80,000 citations and it brought the government a lot of grief. We do cite people but I don't want to have my officers along this curb stretched out pulling every pedestrian crossing someplace and pulling them aside because the impact in our urban community would not be a good one. In Crossroads, New Hampshire and University there is a committee working with problems down there and the Police are working with them. We have recruited a lot of college students and others in that community to handout information. With the interim site at the

metro the Police are going to incorporate crossing guards and we are getting into new territory with our crossing guards program and this is a great resource but they have certain limitation of what they can do.

Genny Hardesty stated that the Police with the orange shirts will make awareness to pedestrians and motorist. Genny suggested putting information in the large commercial office buildings, go to management and they will see that the tenants received them and reach a lot of people.

Betsy Davis reported that:

We launched the Safe Speed automated enforcement program adding Montgomery County to a growing list of communities worldwide that use automated speed enforcement to reduce traffic crashes and save lives. The program is the first in Maryland to enforce speed limits of 35 mph or less in residential areas and school zones. Speed cameras provide police with one more tool to protect pedestrians and other motorists by targeting aggressive driving behaviors. The Safe speed program will initially involve six mobile speed enforcement vans equipped with radar cameras. The mobile unit will rotate through designated speed enforcement zones. The camera will photograph vehicles traveling more than 10 mph above the posted speed limit. There will be a 30-day warning period during which violators will be issued warnings by mail. At the end of the warning period, citations will be issued once they are reviewed to verify the violation and processed to determine the registered owner. The owner of the vehicle will receive a citation in the mail and a \$40. No license points will be assigned and insurance companies will not be notified. It is important to get this information out to the community groups, and businesses.

Bob Middleton asked what Commander met when she stated they are fair game as well.

Commander Davis responded that if Police Officers are not responding to a call and speeding in the zone and a picture is taken of the car and if the officer can not justify the reason for speeding they have to pay the \$40 dollar fine.

Commander Davis distributed the Montgomery County Department of Police 2006 Annual Report which discusses current issue we are encountering. We are now going to County Council with the budget and the County Executive is supporting the hiring of more officers however the way the budget is structured it is to hire 30 new officers for July and the rest postponed until January and we are looking at 60 officers and the July class a total of 40. At this point and time we are stretched thin and don't have enough staff to do the community policing activity and a lot of officers are on overtime in the CBD but there are a lot of other community in the 3rd District that need the police as well so we really need to push this with the County Executive and County Council. One trend in this area is commercial night time burglaries and most where responded to because the security alarm went off. We have undercover officers out at night looking at the situation and suspects and we continue to have problems with stolen vehicles.

Genny Hardesty asked Commander Davis what the ideal number of officers would be if she could. How much overtime are you working because that stretches people thin.

Commander Davis stated that should have 50 at a time because of training on the street and the academy. The entire 3rd District could use another fifty. We are working a lot of overtime hours

and overtime details are grant funded because we have to come in our budget as well so we are fortunate to have CSAFE and other grant funding.

Bryant Fouler asked what a rookie police officer salary is for a year

Commander Davis responded that rookie police officers start at \$42,000.00 per year but in July 1 we are getting an increase of another \$3,000.00 making is \$45,000.00

Farmers Market Update

Janna Howley and Ann Yokers gave the following overview on the FRESHFARM Market as follows:

- 3rd year for the Silver Spring FRESHFARM Market opens from 9 a.m. to 1:00 p.m. and located at Fenton and Ellsworth. We have five farmers from Maryland (Atwater's Bakery, Baltimore MD, Suttler Post, Mechanicsville, MD, Charlie Koiner, Silver Spring MD, Firefly Farm, Bittering, MD Tomatoes, Etc., Westminster, MD We have two farmers Pennsylvania, two from Virginia and two West Virginia.
- We had nice growth in the market season in 2005 started in June and end in October and this year we had a full season starting May 2006 and ending in October 2006. Total customers increased by 2,000 people so we went from 6,703 to 8,860. Range of customers lowest to highest went from 61 to 479 on this site. Average number of customers went from 335 to 334 so what happen we had a longer season the same number of people where stretched out and the fact we maintained that number was good. Average number of farmers went from 10-12 to 9-11 and this is because some of the farmers are not here for the entire season and we are hoping to add three more farmers this season. Sales had a nice increase from \$109,775 in 2005 to \$171,703 in 2006. Average sales per customer went from \$16 to \$20. Average Sales from Farmer/Market 2005 \$499 and \$660 in 2006. We have education programs in 2005 3 chef demons and in 2006 we had 9 demo/programs. FRESH FARM donates the collection of leftover crops from farmers' fields after they have been mechanically harvested or from fields that are not economically profitable to harvest we distributed in 2005 we 566 pounds of crops Shepherd's Table and in 2006 we donated 1,200 pounds of crops. (*Details refer to handout in March Committee Packet*).
- We create marketing specific postcards each season and this year we will be ordering between 3,000 and 4,000 and distributing them to businesses and residents around Silver Spring. We are going to send more postcards to single family homes further up Colesville and we have start a really nice partnership with some of the businesses.
- We would like to enroll more of our farmers in the Special Supplemental Nutrition Program for Women, Infants, and Children - better known as the WIC Program and Senior coupon programs and advertise these better. We will also translate some of the material into Spanish to target the Latino population. We are looking for more chef demos and we partnered with Whole Foods Silver Spring last season and they did a cooking demo every month at the market. We will have a special program called green kids at market in July which is a full day of children activities where they can create bugs out vegetables make ice cream, butter, storytelling, paint there own chef hats etc. We have an educational program in DC public schools called food prints and it introduces

elementary age school children to farming, food and farmers so we are interested in opportunities to expand that program. Again we are trying to develop more partnerships. We are expecting to have the same amount of vendors as we did last year and adding a new cheese vendor this year.

Susan Hoffmann stated that banner would be put up to let people know the Farmers Market has started.

Bryant Foulger asked how we compared in Silver Spring to the other markets in terms of sales, number of farmers etc.

Janna Howley responded that the actual size of the market is equivalent. Our large market is at Dupont Circle which is a weekend market and has almost 25 farmers so it is significantly larger. Silver Spring out of the six is the fourth largest.

Director Report

Gary Stith reported that:

- County Council is having there budget hearing on April 9, 10, 11 and 16 and the Chair gives testimony. Please let Vicki Lockerman know which of those dates works best so she can call Council and put you on the schedule.
- County Executive did include Birchmere funding of 2 million dollars in this years budget and there will be another 2 million in next year's budget and that will match the States funding of commitment.
- County Executive funded something in the Regional Center budget that affects the downtown. As part of the demolish of the armory one of the conditions we where suppose to meet was that we put up historic markers in front of historic building and we do a walking tour brochure so we got \$25,000 in this years budget and this amount is actually only half of what we will need and will allow us to do the design on the markers. We have a concept design done that was completed as part of our wayfinding study we did several years ago. The money will allow us to a design for the specific markers and install 1/3 of them and next years we will get another \$45,000 to finish the job for the rest. We will be working with the Silver Spring Historical Society about the content of the signs.
- In your packet is a Resolution adopted by Council on the repayment of loans from the general fund and there is not anything from the Urban District to take back monies that have been loaned to the Urban District from the General Fund in the past in this years budget. Frankly I don't know when we will ever be able to pay it back but they passed a resolution stating that all enterprise funds that receive supplemental funding from the general fund will have to be paid back and we owe them about 5.3 million dollars which is an extraordinary amount of money. The Committee may want to send comments at some point and time to Council.

United Therapeutics

Bill Kominers, Paul Mahon, Jill Schick, Avi Halpert, and Susan Reutershaw gave the following overview of the drawings for the United Therapeutics Project as follows:

- United Therapeutic wants to grow in Silver Spring and they are here because they wanted to build a laboratory. Working with the county United Therapeutic Laboratory became so attractive they wanted to expand there headquarters. We are here today to talk about the second and third phases of the project which are the headquarters.
- United Therapeutic owns 1100 block of Spring Street and lot 11 next to the County parking garage. The building at 1110 Spring Street is there original headquarters. When we came three years to you we expressed the company desire to do things more exciting and enhance the community.
- United Therapeutics achieved there goal of approximately 40% or greater revenue growth for the fourth straight year. We have grown employee count 40% over last year. United Therapeutics is a biotechnology company focused on the development and commercialization of unique products for patients with chronic and life-threatening cardiovascular, cancer and infectious diseases. In these segments, United Therapeutics is actively developing four technology platforms. We went public in 1999 and raised a quarter million dollars that year and did not raise any more money until last October and we have grown and prospered.
- We did not want to be a company that grew and with success had to move. The first phase which is the laboratory building is complete. We took a hard look at the other two phases and wanted more laboratory in the basement of the first office building and more vibrancy, more dynamic and a exciting place to be for Silver Spring.
- Phase 2 &3 will have more lab space and administrative headquarters with a three story lobby open to public and a large auditorium. Their will be 87 employees. No in-house cafeteria. There will be 23 parking spaces on site – encouraging Metro use. Retail will be on ground level with attractive outside public space. Estimated cost will be: Labs- \$47M and Admin -\$80M. We have discussed sculptural seating elements spaced throughout the project and we have refined that design to an artist locally who will do these out of acrylic material that will have different lights and top materials. Creating a larger corner space in addition to the open space. In between is the wire walk of fame which is granite pavements engraved with famous names of people biology project knowledge in the industry located in Maryland.

Discussion:

Pete Esker asked about the bio-level of the labs and the only reason I am asking is because I was involved in a building out on Brookville Road that is at bio level 3

Paul Mahon stated United Therapeutics was at the lowest bio-level.

Bob Middleton asked about the Helix that was in the plan three years ago and whether it was still in the plans.

Paul Mahon responded yes the helix is in the plan. The helix around the connector was kind of a stainless steel wrap and now we are looking at doing that with lighted LED's so we have both the Silver Spring and programmed it for other holidays. The County was concerned with what happens when the snow and ice so we needed something we could control the cleaning and surfaces for that.

Bryant Foulger asked where United Therapeutics was in the development approval process and what kind of schedule. Your existing approval on your project plan does it include the bridge

Bill Kominers responded they have an approved project plan and preliminary plan. We are filing the site plan for these two phases and as a part of that do a minor amendment to the project plan and preliminary plan because the numbers have changed some and have more lab than before. Our plan is file the site plan in early April along with the amendment. The plan is to build phase two and take the existing employees and more them into there and than do phase 3. We are looking at the fourth quarter of 2007 for groundbreaking phase 2 with a 21 to 24 month build out which would be toward the end of 2009 to January 2010 and immediately starting Phase 3. The bridge connector is included in the project plan.

Jon Lourie stated that United Therapeutics has delivered what they said on the building already built in terms of the high quality design and materials and I hope this continues with phase 2 and 3. With the retail are you looking for restaurants?

Bill Kominers responded that the best space for café tables and things related to restaurants and food for each of these plaza but we have taken that out of the public use space calculation so it will be private and the restaurant can it own tables as well as tables we may have for the public use space.

Pete Esker stated that the design is creative and he appreciated United Therapeutics sensitivity to the integration into the neighborhood and looking outside the walls of where you are and the impact you will have on the people around.

Genny Hardesty asked with the retail space had they thought about having any art galleries or local artist doing show.

Paul Mahon stated no but that this would be an excellent idea.

Discussion on Development Project Review

Genny Hardesty stated that typically what I have seen as a member of the committee has been that we have developers in they show us there intent, plans and talk about what they would like to see done and ask us for our support. The Committee has never had criteria to what the support approval is. We discuss it, we like it, good for business, like the location and architecture and we vote and typically write a letter of support. Do committee members think we need to have a more formal criteria and if so we need to discuss it and decide what that might be.

Jon Lourie stated that he wanted to bring the optional method criteria today. I think it is important that we look at projects more objectively as they are brought to the committee to understand what exactly is pertinent and why are they bringing these projects. What is being reviewed and brought before the Planning Board in terms of optional method development and that we are aware and understand those particular attributes of each project. This is something that I feel we need to discuss and I would be happy to bring the list back in terms of the

regulation and it may be worthwhile to have someone from Planning Staff attend the next meeting.

Genny Hardesty stated Jon Lourie point was well taken and more discussion would be necessary and helpful to have the criteria you mentioned with us. We might want to take comments now and/or tabled this discussion until the next meeting

Pete Esker asked if the Committee was attempting to formal status in the legal sense of the planning process. Are we trying to formalize ourselves to be a check box on the approval process?

Jon Lourie stated no. I believe that projects are brought to this Committee because of community outreach and getting response from the community.

Bryant Foulger stated that it is a requirement and there is a public outreach component to optional method that has to be done and documented.

Pete Esker responded that we are doing that but what is the stratification and why?

Jon Lourie stated as part of that process with Park and Planning they are bringing project to us and asking for our feedback in what they are proposing and my concern is that we look at it from that standpoint in terms of what are they asking for. This would be more educational and to make sure our commitments are pertinent to what they are presenting, what they are asking for and what they are providing in terms of public amenities.

Genny Hardesty stated that she was not so sure they are asking for feedback but support of the project.

Bryant Foulger stated the Developers are asking for both feedback and support. The challenge is really who we are. These applications are hundreds of pages and technical in terms of there drafting. As a Optional Method Developer there are a series of test and standards that you need to demonstrate that you have met or exceeded and it takes staff weeks to determine if you have done that. I am not sure we want to become another zoning committee. I think that rather than expand our scope to take a look at the technical requirements of every project to determine that we conclude they have satisfied that is staff job. We need to decide first those things we need to weigh in on. You have to

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